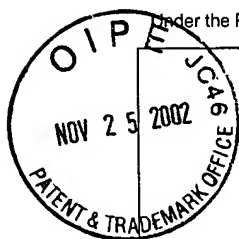


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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>	10/035,750		
	<b>Filing Date</b>	October 23, 2001	
	<b>First Named Inventor</b>	Patterson, et al.	
	<b>Group Art Unit</b>	2633	
	<b>Examiner Name</b>		
<b>Total Number of Pages in this Submission</b>	76	<b>Attorney Docket Number</b>	711901-1020

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### ENCLOSURES (check all that apply)

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<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt postcard
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<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CD(s) _____	Copies of 3 cited U.S. Patents and 2 cited European Patent Applications (with English-language Translations)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### REMARKS

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	David L. Berdan, Registration No. 41,614
Signature	
Date	11/20/02

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Patterson, et al.

Serial No.: 10/035,750

Filed: October 23, 2001



Confirmation No.: 5036

Group Art Unit: 2633

Examiner:

Docket No.: 711901-1020

For: DATA COMMUNICATIONS SYSTEM AND METHOD FOR COMMUNICATION BETWEEN INFRARED DEVICES

INFORMATION DISCLOSURE STATEMENTCommissioner for Patents  
Washington, D.C. 20231

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

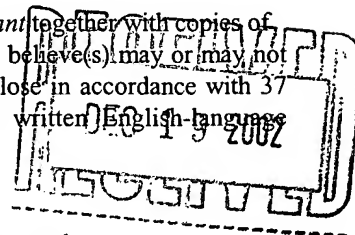
- ☒ under 37 CFR 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement Under 37 C.F.R. 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
 (After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(p).  
 (Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

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- ☒ Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document and written English-language translation of any non-English-language documents is provided.
- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.



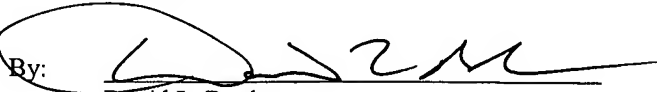
The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

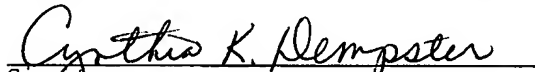
**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

By:   
David L. Berdan  
Registration No. 41,614

100 Galleria Parkway, Suite 1750  
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256-704-3900

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Form PTO-1449

Attorney Docket No.  
**711901-1020**Serial No.  
**10/035,750****INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*Applicant  
**Patterson, Wade C., et al.**Filing Date  
**October 23, 2001**

Group

**U.S. PATENT DOCUMENTS**

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	4,965,448	10/23/90	Morse, et al.	250	252.1	
	B	5,570,869	11/05/96	Diaz, et al.	251	129.04	
	C	5,819,336	10/13/98	Gilliam, et al.	4	623	
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

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**Technology Center 2600****FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	L	EP 0 332 045 A2	9/13/89	European Patent Application	17/88	7/99	X	
	M	EP 1 164 450 A1	12/19/01	European Patent Application	23/02		X	
	N							
	O							

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

	P	
	Q	
	R	

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